

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission	)	
On Its Own Motion	)	
	)	
v.	)	
	)	
North Shore Gas Company	)	02-0726
	)	
	)	
	)	
Reconciliation of revenues	)	
collected under gas adjustment	)	
charges with actual costs prudently	)	
incurred.	)	

**Motion of  
North Shore Gas Company  
for Extension of Time to File Direct Testimony**

1 Pursuant to Section 200.190(a) of the Illinois Commerce Commission's  
2 ("Commission") Rules of Practice (83 Ill. Admin. Code §200.190(a)), North Shore  
3 Gas Company ("North Shore") hereby submits its Motion for Extension of Time to  
4 File Direct Testimony in the above-captioned proceeding.

5 On November 7, 2002, the Commission issued its Order Commencing  
6 PGA Reconciliation Proceedings ("Order"), which initiated the above-captioned  
7 proceeding. The Order directed North Shore to file its testimony and exhibits no  
8 later than January 8, 2003. For the reasons set forth below, North Shore moves  
9 for an extension of time to file such testimony and exhibits on or before May 1,

10 2003. North Shore consulted with the Commission Staff prior to making this  
11 filing, and the Staff did not oppose this request. There are currently no parties to  
12 the case.

13 North Shore's gas charge reconciliation case for its fiscal year 2001 (the  
14 twelve months ended September 30, 2001) is still pending (Docket 01-0706). In  
15 fact, discovery pertaining to North Shore's direct testimony (filed January 9,  
16 2002) and additional direct testimony (served October 16, 2002) is ongoing.  
17 Staff and intervenors have not yet filed direct testimony, and no schedule has  
18 been set for the filing of that testimony. A status hearing is scheduled for  
19 January 23, 2003, and North Shore expects a schedule for testimony and  
20 evidentiary hearings to be established at that status hearing.

21 Although Staff and intervenors have not yet filed their direct testimony in  
22 Docket 01-0706, it clearly appears from discovery requests that there will be  
23 significant testimony concerning North Shore's Gas Purchase and Agency  
24 Agreement ("GPAA") with Enron North America Corp. As a result of this  
25 discovery, Staff and the parties agreed that it would be appropriate for North  
26 Shore to file additional direct testimony to address, *inter alia*, the GPAA. The  
27 GPAA is a five-year contract that began in fiscal 2000 (October 1, 1999) and  
28 ends in fiscal 2005 (October 31, 2004). It is thus likely that the questions  
29 regarding the GPAA that are being raised in Docket 01-0706 will be at issue in  
30 the instant proceeding. While North Shore recognizes that Commission  
31 decisions are not *res judicata*, it is probable that the resolution of issues  
32 pertaining to the GPAA in Docket 01-0706 will influence how similar, if not

33 identical, issues are resolved in the instant proceeding. Filing direct testimony in  
34 the instant proceeding while those issues have not been more completely  
35 developed by Staff and parties is not an efficient use of Respondent's, Staff's and  
36 potential intervenors' resources. Delaying testimony and discovery in this  
37 proceeding until Staff and intervenor issues about the GPAA have been further  
38 clarified in Docket 01-0706 will allow North Shore to ensure that its direct  
39 testimony addresses specific concerns about the GPAA that Staff and parties  
40 have articulated, and this will serve to streamline testimony and discovery that is  
41 required in this proceeding.

42       Based on this information, North Shore requests an extension of time to  
43 file its direct testimony and exhibits in this proceeding. North Shore also  
44 requests that the Commission act by January 7, 2003, so that North Shore will  
45 know if it needs to file testimony on January 8, 2003.

46           WHEREFORE, North Shore Gas Company respectfully requests that the  
47   Commission grant this Motion and establish that North Shore's direct testimony  
48   and exhibits in the above-captioned proceeding will be due on or before May 1,  
49   2003.

Respectfully submitted,

North Shore Gas Company

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Dated at Chicago this  
18th day of December, 2002

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**NOTICE OF FILING AND CERTIFICATE OF SERVICE**

To: Service List

PLEASE TAKE NOTICE that on this 18th day of December, 2002, I have filed with the Chief Clerk of the Illinois Commerce Commission, the Motion of North Shore Gas Company, a copy of which is hereby served upon you by United States Mail on December 18, 2002.

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